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PATENT
THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: G. Gundling, et al.

Serial No.: 09/492,213

Filed: January 27, 2000

Title: METHOD OF PROCESSING A

SAMPLE CONTAINING AT LEAST ONE BIOLOGICAL

ELEMENT

Examiner: B. Sisson

Group Art Unit: 1655

Case No.: 6416.US.P1

Date: September 29, 2004

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop: AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date of Deposit: September 37, 2004

Wanda E. Smith

NOTICE OF APPEAL

Mail Stop: AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated November 14, 2003, of the Examiner finally rejecting Claims 17-27.

Please charge deposit Account 01-0025 in the amount of \$330.00 to cover the cost of the Notice of Appeal. Any deficiency or overpayment should be charged or credited to the above-numbered deposit account. A duplicate of this sheet is attached.

23492

ABBOTT LABORATORIES D-0377/AP6D-2 100 Abbott Park Road Abbott Park, IL 60064-6050 Telephone: (847) 937-7022 Facsimile: (847) 938-2623

Wood, Phillips, Katz, Mortimer & Clark 500 West Madison Street Suite 3800 Chicago, IL 60662-2511

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Respectfully submitted, G. Gundling, *et al*.

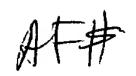
David J. Schodin

Registration No. 41,294

Agent for Applicants

Łisa V. Mueller

Registration No. 38,978 Attorney for Applicants





PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL LETTER

Mail Stop: AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is the Notice of Appeal of G. Gundling, et al, for "Method of Processing a Sample Containing at Least One Biological Element", Serial No. 09/492,213, filed January 27, 2000.

Also enclosed is a return receipt postcard.

The Commissioner is hereby authorized to charge any Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

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G. Gundling, et al.

Respectfully submitted,

David J. Schodin

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Attorney for Applicants